

American with Disability Act ADA Transition Plan for Public Rights- of Way

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Building Commissioner

Spencer County

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Table of Contents

	Page No.
1. INTRODUCTION	3
2. TRANSITION PLAN DEVELOPMENT	4
A. ADA COORDINATOR	4
B. GRIEVANCE PROCEDURE	4
C. SELF EVALUATION/COMMITMENT/SCHEDULE	6
D. ADA STANDARD AND GUIDELINES	6
3. IMPLEMENTATION	6
4. APPENDICES	
APPENDIX A: COMPLAINT /GRIEVANCE FORM	8

INTRODUCTION

The Americans with Disabilities Act (ADA) was enacted on July 26, 1990, and later amended effective January 1, 2009. As written and Implemented, the AD Provides comprehensive civil rights protection to persons with disabilities in the areas of employment, state and local governments services, access to public accommodation, Transportation and telecommunication. The ADA is a companion civil rights legislation to the civil Right Act of 1964 and Section 504 of the Rehabilitation Act of 1973. In order to be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment. The ADA, However does not specifically name all of the impairments that are covered.

The ADA is divided into five sections covering the following topics:

Title 1: Employment

Title 2: Public Services (and Transportation)

Title 3: Public Accommodation (and Commercial Facilities)

Title 4: Telecommunications

Title 5: Miscellaneous Provisions

Title 2, specifically prohibits state and local governments from discriminating against persons with disabilities or from excluding participation in or denying benefits of programs, services, or activities to person with disabilities. It is under this title that this transition plan has been prepared. This transition plan is intended to outline the methods by which physical changes will be made to give effect to the non-discrimination policies described in Title 2

TRANSITION PLAN DEVELOPMENT

To ensure program accessibility for people with disability in the community, Spencer County has developed a Transition Plan, which is to be considered good practice.

This Transition Plan for Public Rights-of Way considers the following:

A. ADA COORDINATOR:

Effective communication is essential to address all the complaints or concerns of all individuals. In order to keep maintaining the lines of communications open, and thereby ensuring effective communication between all parties, the Spencer County has designated the Building commissioner as the ADA coordinator. The ADA Coordinator shall coordinate the County effects to comply with and carry out its responsibilities under Title II of the ADA, including any investigation of any complaint communicated to the ADA coordinator. Such complaints may take the form of alleging noncompliance with ADA mandates or alleging any actions that would be prohibited under the ADA. The county shall make available to all interested individual the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for prompt and equitable resolution of complaints. Every complaint must be directed in writing to the ADA Coordinator, in this case the Building Commissioner .

B. GRIEVANCE PROCEDURE

The Grievance Procedure established below is intended to adhere to the standards outlined in the ADA. The procedure must be used by anyone who wishes to file a complaint alleging discrimination on basis of disability in the provision of services, activities, program, or benefits by the Spencer County.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complaint and location, date, and description of the problem. Grievance Forms must be used to lodge a complaint, please make reference to Appendix A.

Alternative means of filing complaints, such as personal interviews or recording of the complaint will be made available for persons with disabilities upon request. The complaint should be submitted by the grievant and /or his/her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

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200 Main Room 6

Rockport, IN 47635

Within 15 calendar days after receipt of the complaint, ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complaint, such as large print, Braille, or audio tape. The response will explain the position of the Spencer County and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the ADA Coordinator or his Designee. Within 15 calendar days after receipt of the appeal, the ADA Coordinator or his designee will meet again with the complaint to discuss the appeal and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a formats described above that accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his designee, appeals to the ADA Coordinator or his designee and response from ADA office will be retained by Spencer County.

C. SELF EVALUATION/COMMITMENT

Spencer County has conducted an inventory of evaluations of curbs ramps and sidewalks using aerial views. The majority of these do not meet ADA requirements. The County is committed to making all sidewalk and curb ramp Areas accessible to all pedestrians including those with disabilities. This will be accomplished through the following programs:

- All new construction, reconstruction, roadwork construction or alteration, including federal projects under the control and/or inspection of the department of Public Works will be in compliance with ADA;
- The County will have a in place a sidewalk repair program when funds come available

D. ADA STANDARDS/ GUIDELINES

The standards are intended to apply to all constructions undertaken within the unincorporated towns Right-of-Way. The Indiana Department of Transportation design guidelines and standard drawing will serve as the primary standards and guidelines for this plan. Other standards, if necessary, will be applied at the discretion of the ADA Coordinator.

E. IMPLEMENTATION

The County intends to implement this Transition plan effective the date of this document. Not only does the County commit to following the guidelines set forth in this Transition Plan but it also commits to actively revising and amending this document as new information is discovered. Further, as a matter of policy, this document will be update at least every five years. Finally, a copy of this document will be placed in the **Auditor Office**.

Please state what you think should be done to resolve the complaint or grievance:

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Please attach additional pages as needed.

Signature: _____

Date: _____

Please return to: ADA Coordinator, _____)

Appendix A: Complaint/Grievance Form

Grievant information:

Grievant Name:			
Address:	City	State IN	Zip Code:
Phone: () -			
Alternative Phone: () -			

Person Preparing Complaint Relationship to Grievant (if different from Grievant)

Name:			
Address:	City	State IN	Zip Code:
Phone: () -			
Alternative Phone: () -			

Please specify any location(s) related to the complaint or grievance (if applicable):

Please provide a complete description of the specific complaint or grievance:
